

The libel charged that the article was misbranded in that the statement on the carton, "Guaranteed under the Food and Drugs Act, June 30, 1906, No. 1842", was misleading, since it created the impression that the article had been examined and approved by the Government and that the Government guaranteed that it complied with the law; whereas it had not been so approved, and the Government did not guarantee that it complied with the law. Misbranding was further charged in that certain statements on the carton and bottle label, and in the circular, falsely and fraudulently represented that it was effective in the treatment of bladder and kidney troubles, gravel, diabetes, seminal emission, weak and lame back, catarrh of the bladder, incontinence of urine, dropsy and all irregularities of the bladder and kidneys in either sex, bladder troubles in children, bed-wetting in children, stone in the bladder, inflammation and irritation of the bladder and kidneys; and effective as a treatment of brick dust deposits, highly colored urine, uric acid poison, hemorrhage of the kidneys, urinary troubles, such as stoppage of the urine, calculi, gravel, cystitis, retention of the urine, painful urination, backache, scanty urine, gall stones, tired feeling, sleeplessness, feeling of weakness, nervousness, etc., swelling of feet and ankles, acute and chronic rheumatism, gout, anaemia, headache, neuralgia, pain in the joints and hips, tired feeling, blood diseases, catarrh, scrofula, cancerous sores, boils, and all forms of skin diseases; effective as a treatment of kidney and bladder troubles in women which cause pain or weight in loins, backache, swelling of limbs or feet, swelling under the eyes, uneasy and tired feeling in the region of the kidneys, depression of spirits, reluctance to go anywhere or do anything, dragging sensations, nervousness, and sleeplessness, and which are commonly mistaken for female diseases; effective as a treatment of kidney trouble which affects the heart action, brain power, stomach, digestive organs, deranges the liver, and throws the whole system out of order; and as effective to give new energy, life and power to the kidneys, new color to the blood, new life to the body, vigor to the mind, and to strengthen the muscles.

On October 20, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23242. Misbranding of Double-Duty Poultry Wormers. U. S. v. 137 Packages of Double-Duty Poultry Wormers. Consent decree of condemnation and destruction. (F. & D. no. 32062. Sample no. 63617-A.)

This case involved a drug preparation, the labels of which contained unwarranted curative and therapeutic claims.

On March 2, 1934, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 137 packages of Double-Duty Poultry Wormers at Topeka, Kans., alleging that the article had been shipped in interstate commerce on or about January 2, 1934, by the Concentrate Products Co., from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted essentially of materials derived from plant drugs including kamala, areca-nut, and a laxative drug, and mercurous chloride (0.8 percent).

The article was alleged to be misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent: (Carton) "Double Duty Poultry Wormers * * * removes tape worms and large round worms (Ascaridia) from all kinds of poultry"; (circular) "Double-Duty-Poultry Wormers * * * Expel both large Round Worms and Tape Worms from Poultry. Symptoms of Worms Poultry infested with only a few worms may show no physical evidence of their presence, but worms multiply rapidly when left alone. The first sign of infestation is usually loss of vigor; then gradual loss of flesh; plumage gets dull; eyes pale and shrunken. Frequently a paralytic condition of the legs, wings or neck develops. Birds often go blind—egg production drops and mortality is high especially among young stock. It is safe to suspect worms of being a contributing factor whenever a flock shows signs of losing its natural vigor. Worm Control Control measures to protect poultry against the ravages of intestinal parasites—round worms and tape worms—to be successful must consist of an adequate sanitation program and intelligent medica-

tion at definite times * * * Double-Duty Poultry Wormers are in tablet form for individual dosing. The one treatment expels both large round worms and tape worms. Individual dosing with a reliable vermifuge is generally recognized as being the most efficient method for the treatment of wormy poultry and as poultry is infested with both round and tape worms a combination treatment that will expel both kinds is preferable. Poultry that is heavily infested with worms will have many embryo worms in the intestines that will soon develop into mature worms. That is why in some cases two treatments are necessary. They should be given about two or three weeks apart. The use of Double-Duty Tablets as directed, coupled with an efficient sanitary program, can be depended upon to hold worm infestation to a minimum. * * * The entire flock should be wormed twice each year with Double-Duty * * * The North Dakota Agricultural College recently issued a caution to turkey raisers reading in part as follows: 'The young turkey 4 to 6 weeks of age heavily infested with tape worms has little vitality at best and will soon die if not relieved. Therefore, losses that occur after treatment may be due to the birds being too far gone before treatment was given.' Where worm infestation is at all heavy the intestines are usually inflamed and in many cases disease germs are present.'"

On October 5, 1934, the consignor and consignee having withdrawn their answer filed to the libel and having confessed judgment, a decree was entered condemning the product and ordering that it be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23243. Adulteration and misbranding of rubbing alcohol. U. S. v. Albert Cohan, Ira Cohan, Ben Cohan, and Jack Cohan (Pine Forest Co.). Pleas of guilty. Fines, \$50. (F. & D. no. 32138. Sample no. 40945-A.)

This case was based on a shipment of a product represented to contain 70 percent of ethyl alcohol, but which contained no ethyl alcohol, and did contain approximately 58.6 percent of isopropyl alcohol.

On June 25, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Albert Cohan, Ira Cohan, Ben Cohan, and Jack Cohan, copartners, trading as the Pine Forest Co., Chicago, Ill., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about May 5, 1933, from the State of Illinois into the State of Wisconsin, of a quantity of rubbing alcohol which was adulterated and misbranded. The article was labeled in part: "Rubbing Alcohol Compound * * * Alcohol 70 Per Cent * * * Schlitz Bros. Co. Appleton, Wis."

The information charged that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to contain 70 percent of ethyl alcohol, whereas it contained no ethyl alcohol and contained not more than 58.6 percent of isopropyl alcohol.

Misbranding was alleged for the reason that the statement, "Rubbing Alcohol Compound * * * Alcohol 70 Per Cent", borne on the bottle label, was false and misleading, since the said statement represented that the article contained 70 percent of ethyl alcohol, whereas it contained no ethyl alcohol and contained not more than 58.6 percent of isopropyl alcohol. Misbranding was alleged for the further reason that the article contained isopropyl alcohol, and the label failed to bear a statement of the quantity or proportion of isopropyl alcohol contained therein.

On October 8, 1934, the defendants entered pleas of guilty and were sentenced to pay fines totaling \$50.

M. L. WILSON, *Acting Secretary of Agriculture.*

23244. Misbranding of St. Joseph's Moraline Petroleum Jelly, and Tee-Tone Pure Aspirin. U. S. v. Plough, Inc. Plea of guilty. Fine, \$200. (F. & D. no. 32211. Sample nos. 42943-A, 42944-A.)

This case was based on a shipment of petroleum jelly, and aspirin tablets, the labels of which contained unwarranted curative and therapeutic claims.

On September 29, 1934, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Plough, Inc., trading at Brooklyn, N. Y., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about July 28, 1932, from the State of New York into the State